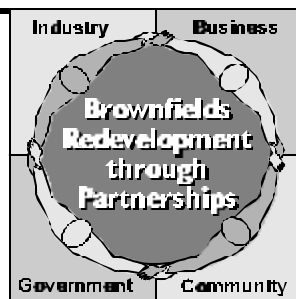


**Seneca Nation of Indians, New York
Brownfields Assessment Demonstration Pilot**

U.S. EPA, Region 2
290 Broadway
New York, New York

July 2001



Program Information

The EPA Brownfields Economic Redevelopment Initiative is designed to empower States, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield is an abandoned, idled, or under-used industrial or commercial facility where expansion or redevelopment is complicated by real or perceived contamination. Since 1995, EPA has funded more than 300 Brownfields Assessment Demonstration Pilots, at up to \$200,000 each, enabling localities to clarify environmental contamination issues in order to facilitate redevelopment. Pilot funds are for site assessment, reuse planning and related community involvement. EPA Region 2 provides direct support to the States, Tribes, counties, municipalities, and communities of New York, New Jersey, Puerto Rico and the US Virgin Islands as they continue to seek new methods to promote site assessment, environmental cleanup, and redevelopment.

I. Overview

The Seneca Nation of Indians is one of the six Indian Nations that occupy land in the state of New York. The Seneca Nation holds the title and occupies land in three distinct territories located in Southwest New York including portions of Allegany, Cattaraugus, Chautauqua, and Erie Counties. The Oil Spring territory is a one square mile area of land that includes access to Cuba Lake. The Cattaraugus Territory totals 21,618 acres and the Allegany territory is composed of 30,984 acres including the City of Salamanca. The Seneca Nation currently has a total enrolled member population of 7,026 with an unemployment rate of 31.1 percent. The Seneca Nation of Indians is the primary employer on the reservations. Industry in the territories consists almost entirely of retail sales operation. The Seneca Nation itself operates a gasoline and convenience store on each of the three territories and also owns bingo operations on the two primary territories. In addition, there are numerous small gasoline and tobacco operations owned by Seneca members. Surrounded by the Allegheny Mountains, the Allegany territory is home to the Seneca- Iroquois National Museum as well as the Highbanks Campground.

Another unique feature of the Allegany territory is that it is a prime transportation corridor. It is located at the crossroads of US Route 219 and NYS Route 17. This area is also the corridor for railroad development. In particular, the City of Salamanca has been associated with railroad operations since at least 1862, being a major switchyard and rail hub until 1950's. Since 1963 the Seneca Nation has leased the railway to several successor railroads with the last assignment to the Consolidated Rail Corporation (Conrail) which discontinued its use in the 1980's. This railway and in particular, the railyard located at 20 Atlantic Street in the City of Salamanca is the focus of the Seneca Nation Brownfields Pilot. In order to address the rail yard site, the Seneca Nation, having sovereign authority to regulate the natural and cultural environments in its territories, will work cooperatively with the City of Salamanca. The Seneca Nation has also enlisted a commitment of support from the Southern Tier West Regional Planning and Development Board, which represents development efforts in a three county area surrounding the rail yard site.

The Nation's objectives are to conduct an initial and expanded Phase II environmental assessment of the railyard; develop site specific remediation alternatives based on the Phase II data; and develop a redevelopment strategy of the property that is consistent with retaining cultural values and strengthening the connections with the surrounding communities/regions.

II. Brownfields Pilot Progress

Implementation Strategy

As part of the Seneca Nation's overall desire to protect and preserve the land, the Seneca Nation is working with the City of Salamanca to reclaim the rail yard site. The project is coordinated by the Seneca Nation Environmental Protection Department (EPD) with input and support from various Seneca Nation government departments including the Health and Tribal Planning Departments.

With community and partner input, a comprehensive redevelopment plan will be prepared that promotes the reuse of the rail yard site as part of an overall local and regional revitalization effort that is consistent with the cultural and economic goals of the Seneca Nation. Additional activities that the Seneca Nation will undertake to further its efforts in advancing the Pilot are investigations of potential legal liabilities and environmental justice issues.

In order to quickly and efficiently conduct the Pilot, the Seneca Nation will access technical assistance from EPA and other local, state, and federal government agencies. The Seneca Nation intends to forge redevelopment partnerships with organizations such as the Empire State Economic Development Funds, the U.S. Department of Housing and Urban Development, and the Appalachian Regional Commission.

Community Involvement

Community members have been very involved when issues relating to the environment were discussed, in particular those that concern the uncertainty of a potentially contaminated site on Seneca land. Advanced notification of the community meetings have been publicized in the media and flyers. In addition, information gathered from the meetings are shared with the general public through local newspapers, the official Seneca Nation newsletter, and other outreach materials.

The community interest in the environment is based on three common principles shared among Seneca people: preserve Seneca culture, sustain the land, and protect the environment for future generations. Because of this great community interest, the Nation has developed a Community Involvement Plan for the Pilot to be associated with the site assessment, cleanup, and reuse process. In conjunction with this plan, the Pilot held a kickoff workshop in the Summer of 2000. Future meetings, approximately every other month will be held to discuss assessment, testing results, clean-up results, and site reuse.

Input generating meetings will be conducted on the Allegany territory to allow Seneca community members and City of Salamanca residents to comment on and learn more about Brownfield issues.

III. Brownfields Site Activities

Site Inventory

An objective of the Seneca Nation's Pilot is to develop a geographic information system (GIS) that will include the data obtained from the investigations in a GIS database maintained by the Seneca Nation. This method of data manipulation will enable the various Seneca Nation departments prompt access to information necessary for effective community development purposes.

Site Selection

The project Site is the rail yard located at 20 Atlantic Street in the City of Salamanca. The Site includes 99.7 acres of long and narrow stretches of railway. The Site was selected after the community voiced complaints of a diesel smell coming from the rail yard. This led to the suspicion that the site was contaminated. In 1998, field screening activities took place. The results from the screening activities prompted further investigation; therefore, a Phase I environmental site assessment (ESA) was conducted and completed in 1999. Please refer to the Site Profiles for Seneca Nation for more information on the specific Site.

Site Assessment and Reuse Planning

The Seneca Nation funded and performed an ESA in 1999, prior to EPA Brownfields funding. Additionally, a Phase II ESA was conducted, prior to EPA funding, at an unrelated site located hydrogeologically downgradient of the rail yard site. These investigations indicated that groundwater at and downgradient of the rail yard appears to be contaminated with halogenated and non-halogenated organic compounds. Further, evidence based on past operations suggests additional contaminants such as polychlorinated biphenyls and heavy metals. Sensitive receptors include nearby residences, the Allegany River, and water supply wells in the City of Salamanca and the Jimersontown area of the Seneca Nation.

The Nation has hired an environmental consultant to conduct an expanded Phase II ESA that will include investigations and assessments of potential environmental contamination at the rail yard site. This may include the identification of contaminant sources. Following a determination of the site's environmental status, a risk analysis will be conducted to help in determining possible remedial alternatives that will subsequently be evaluated for technical feasibility and cost-effectiveness.

A portion of the Pilot funding will be used for reuse planning after more is known about the environmental conditions at the site. Several proposed ideas have been advanced, including use of the Erie Depot Building for business offices, retail or specialty stores, or an arts and crafts center. The remainder of the property may be used for parking, bike or walking paths, or space for additional buildings.

IV. Measures of Success

Properties Estimated in Brownfields Pilot Jurisdiction: 1

For the entire Pilot area, the number of properties/parcels which have been identified by the pilot as brownfields. The Pilot area includes the entire jurisdiction of the Pilot (e.g., the entire City of Chicago or the State of Minnesota), not just the specific area(s) that the Pilot has defined as target areas.

Properties Reported to be Contained in Pilot Inventories: 1

For the entire Pilot area, the number of properties/parcels which have been included in an inventory of brownfields properties/parcels. Types of brownfields inventories include: lists, spreadsheets, and databases (geographic information systems or other forms). These inventories may include lists such as a foreclosure list of abandoned industrial sites; a state list of no-further action sites, etc.

Properties Reported to be Targeted by Pilots: 1

For the entire Pilot area, the number of brownfields properties/parcels the Pilot reports it is "targeting", or at which the Pilot says it will conduct, is conducting, or has conducted activities such as assessment, cleanup planning, facilitation of redevelopment, community outreach, etc.

V. Non-Site Specific Funding

Funding that has been leveraged under the pilot program, but cannot be attributed to any one site.

A. Non-Site Specific Funding Leveraged for Assessment

Funded by: ☐ Local (City) ☐ Local (County) ☐ Private ☐ State ☐ Other Federal

Amount Funded: \$

Additional information concerning funding:

B. Non-Site Specific Funding Leveraged for Cleanup

Funded by: ☐ Local (City) ☐ Local (County) ☐ Private ☐ State ☐ Other Federal

Amount Funded: \$

Additional information concerning funding:

C. Non-Site Specific Funding Leveraged for Redevelopment

Funded by: ☐ Local (City) ☐ Local (County) ☐ Private ☐ State ☐ Other Federal

Amount Funded: \$

Additional information concerning funding:

VI. Current Activities

A site-specific Sampling Plan and Quality Assurance Project Plan for sampling activities that which are to begin Spring 2001, is currently being reviewed by the EPA. The Health and Safety Plan for the same sampling activities has been completed and approved. A community involvement meeting is scheduled for Spring 2001. This is the third meeting that the community has held and plans to have at least two more in the near future.

VII. Contact Information

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For more information on EPA's Brownfields Initiative visit EPA's website at:

National Website <http://www.epa.gov/swerosps/bf>
Regional Website <http://www.epa.gov/r02earth/superfnd/brownfld/bfmainpg.htm>